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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/573,952	07/24/2008	Fabienne Radermacher	31223-00117 (F-886 US)	1753
25264 FINA TECHNO	7590 11/03/200 DLOGY INC	EXAMINER		
PO BOX 67441	2	THEODORE, MAGALI P		
HOUSTON, TX 77267-4412			ART UNIT	PAPER NUMBER
			1791	
			MAIL DATE	DELIVERY MODE
			11/03/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)			
Office Action Comments	10/573,952	RADERMACHER, FABIENNE			
Office Action Summary	Examiner	Art Unit			
	Magali P. Théodore	1791			
The MAILING DATE of this communication app Period for Reply	pears on the cover sheet with the c	orrespondence address			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).					
Status					
1) Responsive to communication(s) filed on 24 Ju	ılv 2008				
<i>i</i> —	/ -				
•	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.				
closed in accordance with the practice under Lx pane Quayle, 1935 C.D. 11, 455 C.G. 215.					
Disposition of Claims					
4)⊠ Claim(s) <u>8-25</u> is/are pending in the application.					
4a) Of the above claim(s) is/are withdrawn from consideration.					
5) Claim(s) is/are allowed.					
6) Claim(s) is/are rejected.					
7) Claim(s) is/are objected to.					
8)⊠ Claim(s) <u>8-25</u> are subjected to:					
6)[2] Claim(s) 6-20 are subject to restriction and/or election requirement.					
Application Papers					
9)☐ The specification is objected to by the Examiner.					
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.					
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).					
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).					
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.					
Trime datifier declaration is objected to by the Ex	animer. Note the attached Office	Action of form 1 10-102.			
Priority under 35 U.S.C. § 119					
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:					
 Certified copies of the priority document 	1. Certified copies of the priority documents have been received.				
Certified copies of the priority document	2. Certified copies of the priority documents have been received in Application No				
3. Copies of the certified copies of the prior	3. Copies of the certified copies of the priority documents have been received in this National Stage				
application from the International Bureau	application from the International Bureau (PCT Rule 17.2(a)).				
* See the attached detailed Office action for a list of the certified copies not received.					
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Attachment(s) A) Mileting of Performance Cited (PTO 800)					
1) X Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date					
3) Information Disclosure Statement(s) (PTO/SB/08) 5) Notice of Informal Patent Application					
Paper No(s)/Mail Date 6) Other:					

DETAILED ACTION

Election/Restrictions

Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 8-21, drawn to a method.

Group II, claim(s) 22-27, drawn to a product.

The inventions listed as Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

The technical feature which links the claims of Groups I and II is a liquid-containing pouch made of metallocene catalyzed ethylene polymer. Whether or not any particular technical feature makes a contribution over the prior art and therefore constitutes a "special technical feature" is considered with respect to novelty and inventive step. (MPEP [R-6] 1850 II.) As evidenced by Motobayashi (JP 11019183), the claimed technical feature is known in the art. Therefore, the claimed technical feature fails to define a contribution over the prior art and unity of invention is lacking between these two groups.

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Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Magali P. Théodore whose telephone number is (571) 270-3960. The examiner can normally be reached on Monday through Friday 9:00 a.m. to 6:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina A. Johnson can be reached on (571) 272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Magali P. Théodore/ Examiner, Art Unit 1791

/Christina Johnson/

Supervisory Patent Examiner, Art Unit 1791